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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/560,245	04/26/2000	Charles Calvin Byers	35	2382
22046	7590	09/22/2005	EXAMINER	
LUCENT TECHNOLOGIES INC. DOCKET ADMINISTRATOR 101 CRAWFORDS CORNER ROAD - ROOM 3J-219 HOLMDEL, NJ 07733			LONSBERRY, HUNTER B	
			ART UNIT	PAPER NUMBER
			2611	

DATE MAILED: 09/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/560,245

Applicant(s)

BYERS, CHARLES CALVIN

Examiner

Hunter B. Lonsberry

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) See Continuation Sheet is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6, 7, 9-11, 14-17, 19, 20, 22, 24-27, 29, 30, 32-35, 37, 38, 40-43, 45, 46 and 48 is/are rejected.
- 7) ☒ Claim(s) 22 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Allowable Subject Matter

1. Claims 22 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

- 2: Applicant's arguments filed 7/1/05 have been fully considered but they are not persuasive.

Applicant argues that Eldering's profile does not include time of day information in the user's profile, but rather uses time of day information to identify a subscriber, and that this is fundamentally different from claim 1 of applicants invention which calls for retrieving a profile that includes parental consent information and time of day information (response pages 5-6).

Regarding applicant's argument, Eldering discloses utilizing a subscriber characterization system to build a user profile, a profile is build using probabilistic or deterministic measurements of an individual's characteristics including age, gender program and product preferences (column 3, lines 5-11), a neural network 400 processes user interactions as well as program characteristics during a viewing session (column 3, lines 12-40, 46-50), these characteristics are specific to a viewer, and

include time of day information (column 3, lines 56-61). As Eldering discloses viewer may watch similar programming at the same time every day, and it identifies this trait as being a trait of behavior specific to a user (column 3, line 58-column 4, line 34, column 5, lines 45-55), Eldering's profile must include time of day information, otherwise the neural network of Eldering would be unable to associate which member of the household typically watches the same programming at the same time every day. Thus Eldering teaches not only including time of day information within a profile, but retrieving a profile with time of day information as required by claim 1.

Applicant argues that the Abecassis reference does not even include user profiles, rather it refers to a rating and password system for users, and that it fails to disclose parental consent information as part of a profile (response page 6).

The Microsoft Computer Dictionary defines a user profile as: "*A computer based record maintained about an authorized user of a multiuser computer system. A user profile is needed for security and other reasons; it can contain such information as the person's access restrictions, mailbox location, type of terminal and so on.*" (Page 462)

As disclosed in the previous office action, Abecassis discloses a profiling system which includes parental consent information, a parent may set the levels of acceptable violence, bloodshed, profanity and nudity for other profiles (Figures 4a-e, 1d, column 8, lines 30-41, column 17, lines 50-56), thus preventing a child from watching objectionable material, and enabling older children to watch age appropriate programming. Additionally, Abecassis discloses that the video program may be altered

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by adding frames to the program by utilizing different content maps (column 10, lines 29-53, column 11, lines 5-13). As Abecassis discloses that there are different content preferences and settings for each member of the household which may be password protected, child settings may be modified by a parent thus providing parental consent (column 17, line 31-column 18, line 22), Abecassis does teach the user of a user profile with parental consent information.

Applicant argues that since Abecassis excludes segments of the video none of the three references relate to a method for dynamically altering a portion of the digital video image based upon a user profile, and none of the references include a profile that includes parental consent information or time of day information relating to a first user (response page 6).

The examiner disagrees. As noted in the previous action, Srinivasan is relied upon to teach dynamically altering a portion of a digital video image, but lacks a profile, which includes parental consent information or time of day information. Eldering is relied upon to teach a subscriber profile with time of day information. Abecassis is relied upon to teach the use of a profile with Parental consent information and as discussed above, Abecassis both excludes and adds segments of video. It would have been obvious to one skilled in the art at the time of invention to modify the tracking module of Srinivasan to utilize the time of day profiling information as taught by Eldering to ensure that the current profile matches the viewer watching the current program. It would have been obvious to modify the combination of Srinivasan and Eldering to include parental

consent information as part of a profile, as taught by Abecassis, thus preventing a child from watching objectionable material, and enabling older children to watch age appropriate programming. Thus the combination of Srinivasan dynamic alterations with the profiling features of Eldering, profiling features and replacement images Abecassis would result in a system that replaces a portion of a video image based upon a user profile.

Applicant argues that none of the three references include a user profile (response page 6).

The examiner disagrees with the applicant's characterization of the references. As cited in the previous action, Srinivasan discloses the use of user profiles (column 31, line 47-column 32, line 21).

Eldering is relied upon to teach the use of a subscriber profile. Eldering explicitly states "the use of a **subscriber profile** 150 which contains probabilistic or determinintistic measurements of an individuals characteristics including age, gender and program and product preferences" (column 3, lines 8-11,50-67). Thus applicant's characterization of the Eldering reference as not teaching a profile is improper.

As discussed above, Abecassis also discloses profiles.

Applicant argues that in regards to claim 9, Srinivasan does not teach or suggest altering a digital video image by replacing an original element with a replacement image

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to produce a dynamically altered video image as Srinivasan relates to inserting entire frames into a section of blank frames in a first video stream (Srinivasan, column 31, lines 16-29) (response page 6).

Regarding applicants argument, the examiner notes that in the previous office action, the Examiner stated "substitute logos or images may be placed in the tracking box as annotation data and may be transmitted over a broadband network/WAN, column 6, lines 7-18, column 7, line 7-column 9, line 30, column 13, lines 1-40, column 14, lines 27-55)." In particular, Srinivasan teaches the use of a replacement image at column 7, lines 37-48, where advertising data may be overlaid dynamically. Thus Srinivasan does teach altering a portion of a digital video image.

Applicant's failure to traverse the Official Notices taken in the previous action is taken as admission of prior art.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-4, 6, 7, 9-11, 14-17, 19,20, 24-27, 29, 30, 32-35, 37, 38, 40-43, 45, 46 and 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent

6,357,042 to Srinivasan in view of U.S Patent 6, 684,194 to Eldering and U.S. Patent 6,553,178 to Abecassis.

Regarding claim 1, Srinivasan discloses a method for dynamically altering a portion of a digital video image based upon a user profile (column 30, lines 6-15 lines 28-40, line 63-column column 32, line 2, lines 57-67, Figure 17), the method comprising the steps of:

Receiving a digital video image (column 30, lines 28-column 31, line 15, video data received via satellite or Internet),

Retrieving a first profile associated with a first user (column 32, lines 12-22),

And digitally altering a portion of the digital video image with a replacement digital image to produce a dynamically altered video image (substitute logos or images may be placed in the tracking box as annotation data and may be transmitted over a broadband network/WAN (column 6, lines 7-18, column 7, line 7-column 9, line 30, column 13, lines 1-40, column 14, lines 27-55)).

Srinivasan fails to disclose the use of a profile, which includes parental consent information, and time of day information to determine which ads to show.

Eldering discloses a system, which utilizes user profiles, and may recognize a specific user based upon time of day information (column 3, line 4-column 5, line 55), thus ensuring that the current profile matches the viewer watching the current program.

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify the tracking module of Srinivasan to utilize the time of day profiling

information as taught by Eldering to ensure that the current profile matches the viewer watching the current program.

The combination of Srinivasan and Eldering fails to disclose parental consent information as part of a profile.

Abecassis discloses a profiling system which includes parental consent information, a parent may set the levels of acceptable violence, bloodshed, profanity and nudity for other profiles (Figures 4a-e, 1d, column 8, lines 30-41, column 17, lines 50-56), thus preventing a child from watching objectionable material, and enabling older children to watch age appropriate programming.

Therefore it would have been obvious to modify the combination of Srinivasan and Eldering to include parental consent information as part of a profile, as taught by Abecassis, thus preventing a child from watching objectionable material, and enabling older children to watch age appropriate programming.

Regarding claim 2, Srinivasan discloses that the altered image is transmitted to the user (column 6, lines 8-16).

Regarding claims 3 and 10, Srinivasan discloses dynamically altering a portion of the digital video image in accordance with a profile, wherein the profile comprises information pertaining to a user receiving the altered image (column 32, lines 12-21).

Regarding claims 4, 6, 11, 14, 17, 19, 27, 29, 35, 37, 43, and 45, Srinivasan discloses a system, which utilizes user profiles to determine which ads to show.

Srinivasan doesn't disclose whether the profiles contain demographic, advertising or geographic information.

Eldering discloses that profiles may contain demographic, advertising and time of day information and that the programs themselves also contain demographic data (column 3, lines 12-40, 46-50, 56-61), thus ensuring that the appropriate advertisements are routed to the appropriate user.

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify the profile of Srinivasan to include demographic, advertising and time of day information as taught by Eldering, thus ensuring that the appropriate advertisements are routed to the appropriate user.

Regarding claims 7, 15, 20, 30, 38, and 46, the combination of Srinivasan and Eldering discloses profiles, which include demographic information. Additionally, Srinivasan discloses that ads may be prepared for users living in urban areas (geographic areas, column 32, lines 4-7).

The combination of Srinivasan, Eldering and Abecassis fails to disclose a profile that includes geographic information.

The examiner takes official notice that the use of geographic information for the delivery of targeted advertisements is notoriously well known in the art. Geographic

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targeting ensures that a viewer receives advertising data, which is relevant to the area that the viewer lives in.

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify the combination of Srinivasan, Eldering and Abecassis to include geographic information as part of the profile, thus ensuring that a viewer receives advertising data which is relevant to the area that the viewer lives in.

Regarding claim 9, Srinivasan discloses a method for dynamically altering a portion of a digital video image based upon a user profile (column 30, lines 6-15 lines 28-40, line 63-column column 32, line 2, lines 57-67, Figure 17), the method comprising the steps of:

Marking an original element in a digital video image, the original element comprising a portion of the digital video image (column 8, lines 5-33)

Retrieving a first profile associated with a first user and choosing a replacement image (column 32, lines 12-22),

And digitally altering a portion of the digital video image with a replacement digital image based upon time of day information to produce a dynamically altered video image (substitute logos or images may be placed in the tracking box as annotation data and may be transmitted over a broadband network/WAN, column 6, lines 7-18, column 7, line 7-column 9, line 30, column 13, lines 1-40, column 14, lines 27-55).

Srinivasan fails to disclose the use of a profile, which includes parental consent information, and time of day information to determine which ads to show.

Eldering discloses a system, which utilizes user profiles, and may recognize a specific user based upon time of day information (column 3, line 4-column 5, line 55), thus ensuring that the current profile matches the viewer watching the current program.

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify the tracking module of Srinivasan to utilize the time of day profiling information as taught by Eldering to ensure that the current profile matches the viewer watching the current program.

The combination of Srinivasan and Eldering fails to disclose parental consent information as part of a profile.

Abecassis discloses a profiling system which includes parental consent information, a parent may set the levels of acceptable violence, bloodshed, profanity and nudity for other profiles (Figures 4a-E, 1d, column 8, lines 30-41, column 17, lines 50-56), thus preventing a child from watching objectionable material, and enabling older children to watch age appropriate programming.

Therefore it would have been obvious to modify the combination of Srinivasan and Eldering to include parental consent information as part of a profile, as taught by Abecassis, thus preventing a child from watching objectionable material, and enabling older children to watch age appropriate programming.

Regarding claim 16, Srinivasan discloses a method for providing a targeted product placement (column 30, lines 6-15 lines 28-40, line 63-column column 32, line 2, lines 57-67, Figure 17), the method comprising the steps of:

Receiving a digital video image (column 30, lines 28-column 31, line 15, video data received via satellite or Internet) which includes an original element in a digital video image, the original element comprising a portion of the digital video image (column 8, lines 5-33)

Retrieving a first profile associated with a first user and choosing a replacement image (column 32, lines 12-22),

And digitally altering a portion of the digital video image by retrieving and replacing the original element with replacement digital image to produce a dynamically altered video image (substitute logos or images may be placed in the tracking box as annotation data and may be transmitted over a broadband network/WAN (column 6, lines 7-18, column 7, line 7-column 9, line 30, column 13, lines 1-40, column 14, lines 27-55)

Transmitting it over a broadband network (figure 7, column 13, lines 4-13).

Srinivasan fails to disclose the use of a profile, which includes parental consent information, and time of day information to determine which ads to show.

Eldering discloses a system, which utilizes user profiles, and may recognize a specific user based upon time of day information (column 3, line 4-column 5, line 55), thus ensuring that the current profile matches the viewer watching the current program.

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify the tracking module of Srinivasan to utilize the time of day profiling information as taught by Eldering to ensure that the current profile matches the viewer watching the current program.

The combination of Srinivasan and Eldering fails to disclose parental consent information as part of a profile.

Abecassis discloses a profiling system which includes parental consent information, a parent may set the levels of acceptable violence, bloodshed, profanity and nudity for other profiles (Figures 4a-E, 1d, column 8, lines 30-41, column 17, lines 50-56), thus preventing a child from watching objectionable material, and enabling older children to watch age appropriate programming.

Therefore it would have been obvious to modify the combination of Srinivasan and Eldering to include parental consent information as part of a profile, as taught by Abecassis, thus preventing a child from watching objectionable material, and enabling older children to watch age appropriate programming.

Regarding claims 24 and 40, Srinivasan discloses in figure 12, a service node for producing a digital video stream, the service node comprising:

- an input port 127 effective in receiving a digital video stream including an original element (column 21, lines 17-23);

- a control port 125 for accessing a customer database (profile information) and an image database (column 21, lines 14-17, column 32, lines 12-22),

- a control/video processor (CPU 117) including memory, the processor being effective in determining the product images to be inserted based at least in part upon a customer profile retrieved from the customer database (column 32, lines 12-22), the control processor also effective in retrieving replacement images from the image

database (column 32, lines 31-40), the processor effective in calculating transforms and selectively overwriting the original element (column 21, lines 61-67), the processor also effective in storing the replacement images in the memory 131, the processor being effective in replacing the original element with the replacement images to form a modified video stream (column 21, lines 61-67); and

an output port 139 effective in transmitting the modified video stream (column 22, lines 1-3).

Srinivasan inherently contains a DSP, as a DSP is required to insert the replacement annotation data when manipulating a digital video image.

Srinivasan fails to disclose the use of a profile, which includes parental consent information, and time of day information to determine which ads to show.

Eldering discloses a system, which utilizes user profiles, and may recognize a specific user based upon time of day information (column 3, line 4-column 5, line 55), thus ensuring that the current profile matches the viewer watching the current program.

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify the tracking module of Srinivasan to utilize the time of day profiling information as taught by Eldering to ensure that the current profile matches the viewer watching the current program.

The combination of Srinivasan and Eldering fails to disclose parental consent information as part of a profile.

Abecassis discloses a profiling system which includes parental consent information, a parent may set the levels of acceptable violence, bloodshed, profanity

and nudity for other profiles (Figures 4a-E, 1d, column 8, lines 30-41, column 17, lines 50-56), thus preventing a child from watching objectionable material, and enabling older children to watch age appropriate programming.

Therefore it would have been obvious to modify the combination of Srinivasan and Eldering to include parental consent information as part of a profile, as taught by Abecassis, thus preventing a child from watching objectionable material, and enabling older children to watch age appropriate programming.

Regarding claims 25, 33, and 41 Srinivasan discloses the use of VRAM 139 to carry a combined video image (column 21, lines 27-67).

Regarding claims 26, 34, and 42, Srinivasan inherently has a video processor, which is controlled by a CPU, as a CPU is required to control a video processor in order to assemble the annotation and video data.

Regarding claim 32, Srinivasan discloses in figure 16, a broadband network for processing video streams, the broadband network comprising:

- a service node (Figure 12) comprising:

- an input port 127 effective in receiving a digital video stream including an original element (column 21, lines 17-23);

- a control port 125 for accessing a customer database (profile information) and an image database (column 21, lines 14-17, column 32, lines 12-22),

a control/video processor (CPU 117) including memory, the processor being effective in determining the product images to be inserted based at least in part upon a customer profile retrieved from the customer database (column 32, lines 12-22), the control processor also effective in retrieving replacement images from the image database (column 32, lines 31-40), the processor effective in calculating transforms and selectively overwriting the original element (column 21, lines 61-67), the processor also effective in storing the replacement images in the memory 131, the processor being effective in replacing the original element with the replacement images to form a modified video stream (column 21, lines 61-67); and

an output port 139 effective in transmitting the modified video stream (column 22, lines 1-3).

Srinivasan inherently contains a DSP, as a DSP is required to insert the replacement annotation data when manipulating a digital video image.

Srinivasan does not disclose a broadband access network through which the modified video is transmitted, however, in a related embodiment, Srinivasan discloses service node 221 which distributes altered video streams to users based on profile data via a broadband network (column 29, line 55-column 30, line 63) and the video data may also be multicast (column 35, line 60-column 36, line 9 which inherently necessitates the use of a multicast router), thus reducing the complexity of the user receiving device and conserving bandwidth.

Therefore, it would have been obvious to modify Srinivasan with the video modification node in the headend and to utilize multicasting, thus reducing the complexity of the user's STB and conserving bandwidth.

Srinivasan fails to disclose the use of a profile, which includes parental consent information, and time of day information to determine which ads to show.

Eldering discloses a system, which utilizes user profiles, and may recognize a specific user based upon time of day information (column 3, line 4-column 5, line 55), thus ensuring that the current profile matches the viewer watching the current program.

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify the tracking module of Srinivasan to utilize the time of day profiling information as taught by Eldering to ensure that the current profile matches the viewer watching the current program.

The combination of Srinivasan and Eldering fails to disclose parental consent information as part of a profile.

Abecassis discloses a profiling system which includes parental consent information, a parent may set the levels of acceptable violence, bloodshed, profanity and nudity for other profiles (Figures 4a-E, 1d, column 8, lines 30-41, column 17, lines 50-56), thus preventing a child from watching objectionable material, and enabling older children to watch age appropriate programming.

Therefore it would have been obvious to modify the combination of Srinivasan and Eldering to include parental consent information as part of a profile, as taught by

Abecassis, thus preventing a child from watching objectionable material, and enabling older children to watch age appropriate programming.

Regarding claim 48, Srinivasan discloses a method for providing a targeted product placement (column 30, lines 6-15 lines 28-40, line 63-column column 32, line 2, lines 57-67, Figure 17), the method comprising the steps of:

Obtaining user information pertaining to a plurality of users and storing it in a customer database (column 31, line 65-column 32, line 21),

Receiving a digital video image (column 30, lines 28-column 31, line 15, video data received via satellite or Internet) which includes an original element in a digital video image, the original element comprising a portion of the digital video image (column 8, lines 5-33)

Retrieving a first profile associated with a first user and choosing a replacement image (column 32, lines 12-22),

And digitally altering a portion of the digital video image by retrieving and replacing the original element with replacement digital image to produce a dynamically altered video image (substitute logos or images may be placed in the tracking box as annotation data and may be transmitted over a broadband network/WAN (column 6, lines 7-18, column 7, line 7-column 9, line 30, column 13, lines 1-40, column 14, lines 27-55),

Transmitting it over a broadband network (figure 7, column 13, lines 4-13).

Srinivasan fails to disclose the use of a profile, which includes parental consent information, and time of day information to determine which ads to show.

Eldering discloses a system, which utilizes user profiles, and may recognize a specific user based upon time of day information (column 3, line 4-column 5, line 55), thus ensuring that the current profile matches the viewer watching the current program.

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify the tracking module of Srinivasan to utilize the time of day profiling information as taught by Eldering to ensure that the current profile matches the viewer watching the current program.

The combination of Srinivasan and Eldering fails to disclose parental consent information as part of a profile.

Abecassis discloses a profiling system which includes parental consent information, a parent may set the levels of acceptable violence, bloodshed, profanity and nudity for other profiles (Figures 4a-E, 1d, column 8, lines 30-41, column 17, lines 50-56), thus preventing a child from watching objectionable material, and enabling older children to watch age appropriate programming.

Therefore it would have been obvious to modify the combination of Srinivasan and Eldering to include parental consent information as part of a profile, as taught by Abecassis, thus preventing a child from watching objectionable material, and enabling older children to watch age appropriate programming.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hunter B. Lonsberry whose telephone number is 571-272-7298. The examiner can normally be reached on Monday-Friday during normal business hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Grant can be reached on 571-272-7294. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HBL



CHRISTOPHER GRANT
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

Continuation of Disposition of Claims: Claims pending in the application are 1-4,6,7,9-11,14-17,19,20, 22, 4-27,29,30,32-35,37,38,40-43,45,46 and 48.